IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Confirmation No.: 9083			
Gary K. Michelson				
Serial No.: 10/736,866	Group Art Unit: 3732			
Filed: December 16, 2003	Examiner: Eduardo Robert			
For: BONE HEMI-LUMBAR INTERBODY)				
SPINAL FUSION IMPLANT HAVING	•			
AN ASYMMETRICAL LEADING	A			
END AND METHOD OF	RECEIVED			
INSTALLATION THEREOF (
,	JUN 1 0 2005			
Mail Stop 313(c)				
Commissioner for Patents	CFFICE OF PETITIONS			
P.O. Box 1450				

Sir:

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination (RCE) in the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: June 9, 2005

By:

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OMB 0651-0031

Substitute for FORM PTO-1449		Attorney Docket Number 101.0089-02000		Customer No. 22882					
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant	Applicant		Application Number			
			Gary K. Michelson		10/736,866				
(Use several sheets if necessary)			Filing Date		Group Art Unit . Examine		Examiner		
Sheet <u>1</u> of <u>1</u>			December 16, 2003		3732 E. R		E. Robert		
		U.S. PATEN	T DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE			
	2003/0130737	07-2003	McGahan et al.						
	6,258,125	07-2001	Paul et al.						
	6,277,149	08-2001	Boyle et al.	10	RECEIV	ED			
	6,610,065	08-2003	Branch et al.		JUN 1 0				
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS		TRANSLATION (YES/NO)		
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)									
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EXAMINER	DATE CONSIDERED								
EXAMINER: In conformance a	nitial if citation considered, whether of and not considered. Include copy of	or not citation is in this form with nex	conformance with MPE tt communication to the	EP § 609; Dra	w line through c	itation	if not in		